

LWMP Implementation

Foreshore & Aquatic Development Permit Areas

AREA

Explanation

Where the Development Permit Area (DPA) is applicable must clearly be identified.

Example

Development Permit Area #1 applies 5 m upland from the ordinary high water mark and extends 200 m out into Lake Windermere.

Decisions

- Will the DPA be inclusive of all lands and foreshore within the RDEK and DOI or applied to specific areas, such as developed or undeveloped portions of the lake only?
- How far upland should the DPA extend?
- How far out into Lake Windermere should the DPA extend?

DESIGNATION CATEGORY

Explanation

The designation category reflects the purpose of the DPA. When a property owner will be required to apply for a Development Permit and when the property owner would be exempt must be identified.

Example

Protection of the natural environment, its ecosystems and biological diversity.

A Development Permit must be obtained:

- *Prior to the siting or construction of buildings or structures (i.e. a dock); or*
- *The alteration of lands, including the removal of vegetation.*

A Development Permit may not be required:

- *For minor alterations to a structure; or*
- *The removal of invasive plants along the foreshore.*

Decisions

- When will a Development Permit be required?
- When would an exemption from the requirement be appropriate?

DEVELOPMENT PERMIT AREA COMPONENTS

A Development Permit Area (DPA) is made up of four components which are outlined on this poster. To assist in showing what a new DPA might include an example is provided for each component along with key decisions that must be made.

JUSTIFICATION

Explanation

The reason for designating the DPA and why its application is justified must be clearly identified. The existing conditions that are to be protected or objectives that are to be achieved through the implementation of the DPA must also be stated.

Example

For undeveloped portions of the shoreline an objective may be the preservation of undisturbed shoreline with very high ecological values.

For developed areas a range of objectives could be applied:

- *No further disturbance of the foreshore than currently exists; or*
- *Restoration of foreshore to pre-development conditions for all future development; or*
- *Utilization of best practices to maintain habitat and promote restoration along the foreshore.*

Decisions

- What natural features of Lake Windermere and its shoreline should be protected or conserved?
- Why is protection or conservation warranted for the identified features?
- What objectives for the natural environment do we wish to achieve? Why?

GUIDELINES

Explanation

The guidelines identify how a property owner can proceed with their proposed development and meet the objectives of the DPA. Any conditions, requirements and standards that are imposed on development must comply with the guidelines. The guidelines may also identify:

- When the local government can vary or supplement their bylaws.
- Conditions that government may impose on the timing of development.

Example

If an identified objective for Development Permit #1 is to protect fish habitat then:

- *All structures must be sited away from fish spawning and rearing habitat areas;*
- *The use of pressure treated wood is not permitted;*
- *A Development Permit may vary the applicable zoning regulations related to siting of structures if it allows for the applicant to meet one or more of the identified guidelines; and*
- *In-stream works, such as the placement of fixed docks, should not be undertaken during fish spawning season.*

Decisions

- What are the appropriate guidelines for the DPA? The guidelines will provide direction on what actions property owners should or should not undertake during development.
- What portions of a zoning bylaw the local government may vary as part of the DPA.
- Under what circumstances may the local government wish to impose conditions on the timing of development?

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